

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

RICHARD J. HILL,

Plaintiff,

v

JUSTIN WONCH,

Defendant.

U.S. District Judge:
Hon. Hala Y. Jarbou

U.S. Magistrate Judge:
Maarten Vermaat

Case No: 2:19-cv-159

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DEFENDANT'S PROPOSED ADDITION TO FINAL PRETRIAL ORDER

Defendant Justin Wonch through his attorneys, Kitch Drutchas Wagner Valitutti & Sherbrook, requests the following addition be made to the Final Pretrial Order (ECF 117, PageID.825) at item (5), p. 9 (PageID.833).

The Defendant plans to add to the reading of the depositions to be offered by plaintiff as follows. This designation is made under Rule 32(a)(6) of the Federal Rules of Civil Procedure.

The offer by the opposing party under this subrule typically occurs immediately after the deposition testimony is read to the jury on behalf of the offering party. The defendant, and we believe that the Court, did not consider the court's requirements as expressed in the Case Management Order to apply to such a counteroffer of deposition testimony by the defendant

under Rule 32(a)(6). This designation is being filed, however, in the event that counsel's understanding is not correct.

Lara

P. 3 L 10-25 (Introduces her)
P. 4 L 5-18 (shows they live together)
P. 21 L 14-15 (Hill was dangerous when drinking)
P. 29 L23-25 (police report said 3 knee strikes)
P. 30 L 1-25 and P. 31 L 1-4 (Hard to arrest Jack. Powerful when drinking. Wasn't easy to get him to go voluntarily. Hard to restrain.
P. 32. L 9-25 (She had experience as a dispatcher and she screamed for Wonch to get backup because Jack is so strong)
P. 33 L 1-9 (Jack was hard to be handcuffed because his arm was in front of him)
P. 43 L 10-25, P. 44, 45, 45, 45, 48, 49 and 50 L1-16(Her description of everything that occurred including fight with Tim and she was in fear of her life)
P. 56 L 8-25 and P. 57 L 1-5 (More on what occurred including defiant Jack saying he wasn't going and Tim telling him to stop)
P. 62 L 12 through P. 64 L 10 (Description of Jack lunging at her)
P. 68 L 20 through P. 60 L 25 (description of how aggressive Jack was)
P. 72 L 1 through P. 73 L 23 (description of getting the handcuffs on)

Normand

p. 4 L 10-16 (introduction and age)
P. 11 L 7-25 (His knowledge of Jack and/or Vickie)
P. 13, 14, 15 and P. 16 through L 7 (Testimony that Jack was drunk and his description of the argument and Hill taking swings at her, her calling 911, and him describing Jack charging Vickie, and also him describing his fight with Hill)
P. 21 L 15-18 (Hill lunged at Vickie)
P. 23 L 2-9 (Hill lunged and Wonch tackled him)
P. 26 L 21-25 (No knee strikes after handcuffs were on)
P. 27 L 1-6 (No physical strikes other than knee strikes)

Respectfully submitted,

KITCH DRUTCHAS WAGNER
VALITUTTI & SHERBROOK

Dated: July 7, 2022

By: /s/ M. Sean Fosmire
M. Sean Fosmire